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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION
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12 DARRYL O. STRICKLAND, SR.,)

No. CV 10-2973-SJO (PLA)

13 Plaintiff,)

14 v.)

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINAL REPORT AND
RECOMMENDATION**

15 LOS ANGELES SOUTHWEST POLICE)
16 DEPARTMENT, et al.,)

17 Defendants.)
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19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the
20 magistrate judge's final report and recommendation. The Court agrees with the recommendations
21 of the magistrate judge.

22 ACCORDINGLY, IT IS ORDERED:

- 23 1. The final report and recommendation is adopted.
- 24 2. Defendants' Motion to Dismiss is granted: (a) with respect to plaintiff's federal
25 claim(s), apart from his claims alleging the excessive use of force, without leave to
26 amend but without prejudice as barred by Heck; and (b) dismissing his claim(s)
27 alleging the excessive use of force without leave to amend and with prejudice for
28 failure to state a claim.

3. The Court declines to exercise supplemental jurisdiction over any state law claims that plaintiff may be purporting to raise without prejudice to plaintiff filing such claims in state court.
4. Judgment shall be entered consistent with this order.
5. The clerk shall serve this order and the judgment on all counsel or parties of record.

DATED: February 20, 2012



HONORABLE S. JAMES OTERO
UNITED STATES DISTRICT JUDGE